

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:09-CR-149-D-1
No. 7:16-CV-57-D
No. 7:17-CV-100-D

ABDULLAH ASAD MUJAHID,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

ORDER

On April 12, 2017, the court dismissed Abdullah Asad Mujahid's ("Mujahid") motion under 28 U.S.C. § 2255 [D.E. 48]. On May 22, 2017, Mujahid moved for reconsideration [D.E. 50, 51, 52]. On June 20, 2017, Mujahid filed a supplemental memorandum of law [D.E. 54].

The court has considered Mujahid's motion for reconsideration under the governing standard. See Fed. R. Civ. P. 59(e); Zinkand v. Brown, 478 F.3d 634, 637 (4th Cir. 2007); Bogart v. Chapell, 396 F.3d 548, 555 (4th Cir. 2005); Dennis v. Columbia Colleton Med. Ctr., Inc., 290 F.3d 639, 653 (4th Cir. 2002); Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co., 148 F.3d 396, 403 (4th Cir. 1998); Hughes v. Bedsole, 48 F.3d 1376, 1382 (4th Cir. 1995). Mujahid remains an armed career criminal even after Johnson v. United States, 135 S. Ct. 2551 (2015). See [D.E. 48] 3; United States v. Mungro, 754 F.3d 267, 272 (4th Cir. 2014); see also United States v. Jones, 669 F. App'x 110, 111 (4th Cir. 2016) (per curiam) (unpublished); United States v. Bolden, 645 F. App'x 282, 283 (4th Cir. 2016) (per curiam) (unpublished); United States v. Thompson, 615 F. App'x 160, 160–61 (4th Cir. 2015) (per curiam) (unpublished); Harris v. United States, No. 3:16-CV-436-RLV, 2017 WL 2177980, at *2–8 (W.D.N.C. May 17, 2017) (unpublished); PSR ¶¶ 13–15, 17–20, 23–38.

In sum, Mujahid's motions [D.E. 50, 51, 52] are DENIED. After reviewing the claim presented in Mujahid's motions, the court finds that reasonable jurists would not find the court's treatment of Mujahid's claim debatable or wrong and that the claim does not deserve encouragement to proceed any further. Accordingly, the court DENIES a certificate of appealability. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

SO ORDERED. This 6 day of July 2017.



JAMES C. DEVER III
Chief United States District Judge